



## **Fisheries (Challenger Area Commercial Fishing) Amendment Regulations 2015**

Jerry Mateparae, Governor-General

### **Order in Council**

At Wellington this 2nd day of June 2015

Present:

His Excellency the Governor-General in Council

Pursuant to section 297 of the Fisheries Act 1996, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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## Regulations

### 1 Title

These regulations are the Fisheries (Challenger Area Commercial Fishing) Amendment Regulations 2015.

### 2 Commencement

These regulations come into force on 9 July 2015.

### 3 Principal regulations

These regulations amend the Fisheries (Challenger Area Commercial Fishing) Regulations 1986 (the **principal regulations**).

### 4 Regulation 2 amended (Interpretation)

In regulation 2(1), insert in its appropriate alphabetical order:

**bottom trawl net** means a trawl net that is operated by being drawn over the bed of any waters by 1 or more vessels underway

### 5 New regulation 10A inserted (Certain fishing methods prohibited in areas bordering Hautai and Punakaiki marine reserves)

After regulation 10, insert:

#### 10A Certain fishing methods prohibited in areas bordering Hautai and Punakaiki marine reserves

- (1) A commercial fisher must not use a bottom trawl net, a Danish seine net, or a dredge in Hautai, Punakaiki North, or Punakaiki South.
- (2) However, the prohibition on the use of Danish seine nets in subclause (1) applies only in waters that are not within 3 nautical miles seaward of the mean high-water mark of the coast of the South Island (*see* regulation 70 of the Fisheries (Commercial Fishing) Regulations 2001 for the prohibition on Danish seining within that area).
- (3) In this regulation,—  
**Hautai** means that area of New Zealand fisheries waters enclosed by a line—
  - (a) commencing at a point on the mean high-water mark on the westernmost point of Awarua Point (at 44°15.52'S and 168°03.18'E); then
  - (b) proceeding in a straight line in a westerly direction to a point offshore (at 44°15.40'S and 168°00.07'E); then
  - (c) proceeding in a straight line in a north-easterly direction to a point offshore (at 44°07.14'S and 168°06.59'E); then
  - (d) proceeding in a straight line in a south-easterly direction to a point on the mean high-water mark approximately 900 metres to the south-east of the Gorge River hut (at 44°11.35'S and 168°11.12'E); then

- (e) proceeding in a generally south-westerly direction along the mean high-water mark to a point on the southern coast of Longridge Point (at 44°12.284'S and 168°09.154'E); then
- (f) proceeding in a straight line in a north-westerly direction to a point offshore (at 44°12.006'S and 168°08.510'E); then
- (g) proceeding in a straight line in a south-westerly direction to a point offshore (at 44°14.119'S and 168°05.303'E); then
- (h) proceeding in a straight line in a south-easterly direction to a point on the mean high-water mark on the northern bank of the Hackett River mouth (at 44°14.686'S and 168°05.878'E); then
- (i) proceeding in a generally south-westerly direction along the mean high-water mark to the point of commencement

**Punakaiki North** means that area of New Zealand fisheries waters enclosed by a line—

- (a) commencing at a point on the mean high-water mark of the unnamed headland on the northern shore of the mouth of the Pororari Lagoon (at 42°05.868'S and 171°20.271'E); then
- (b) proceeding in a generally south-easterly direction following a line that includes all of the estuarine and intertidal area of the Pororari Lagoon to a point on the northern bank of Bullock Creek at its intersection with State Highway 6 (at 42°06.05'S and 171°20.48'E); then
- (c) proceeding in a straight line in a southerly direction to the point where State Highway 6 crosses the southern bank of Bullock Creek (at 42°06.06'S and 171°20.47'E); then
- (d) proceeding in a generally southerly direction following a line that includes all of the estuarine and intertidal area of the Pororari Lagoon to a point on the northern bank of the Pororari River at its intersection with State Highway 6 (at 42°06.36'S and 171°20.39'E); then
- (e) proceeding in a straight line in a southerly direction to the point where State Highway 6 crosses the southern bank of the Pororari River (at 42°06.38'S and 171°20.37'E); then
- (f) proceeding in a generally north-westerly direction following a line that includes all of the estuarine and intertidal area of the Pororari Lagoon to a point on the mean high-water mark closest to the southern shore of the Pororari Lagoon (at 42°06.30'S and 171°20.13'E); then
- (g) proceeding in a generally southerly and then westerly direction along the mean high-water mark to a point on the northern coast of Dolomite Point (at 42°06.759'S and 171°19.803'E); then
- (h) proceeding in a straight line in a westerly direction to a point offshore (at 42°06.755'S and 171°19.513'E); then

(i) proceeding in a straight line in a north-easterly direction to a point offshore (at 42°05.86'S and 171°19.764'E); then

(j) proceeding in an easterly direction to the point of commencement

**Punakaiki South** means that area of New Zealand fisheries waters enclosed by a line—

(a) commencing at a point on the mean high-water mark on the beach to the south of Pancake Rocks (at 42°07.088'S and 171°19.791'E); then

(b) proceeding in a generally southerly and then easterly direction following a line that includes all of the estuarine and intertidal area of the Punakaiki River mouth to a point on the northern bank of the Punakaiki River at its intersection with State Highway 6 (at 42°07.38'S and 171°19.95'E); then

(c) proceeding in a straight line in a southerly direction to the point where State Highway 6 crosses the southern bank of the Punakaiki River (at 42°07.41'S and 171°19.96'E); then

(d) proceeding in a generally easterly direction following a line that includes all of the estuarine and intertidal area of the Punakaiki River mouth to a point on the mean high-water mark on the northern head of Razorback Point (at 42°07.41'S and 171°19.68'E); then

(e) proceeding in a generally southerly direction along the mean high-water mark to a point on Pakiroa Beach (at 42°08.62'S and 171°19.522'E); then

(f) proceeding in a straight line in a westerly direction to a point offshore (at 42°08.612'S and 171°18.942'E); then

(g) proceeding in a straight line in a north-easterly direction to a point offshore (at 42°07.082'S and 171°19.429'E); then

(h) proceeding in a straight line in an easterly direction to the point of commencement.

## 6 Regulation 15 amended (Offences)

In regulation 15(2), after “10,” insert “10A,”.

Michael Webster,  
Clerk of the Executive Council.

## Explanatory note

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations, which come into force on 9 July 2015, amend the Fisheries (Challenger Area Commercial Fishing) Regulations 1986.

The amendments prohibit commercial fishers from using bottom trawl nets, Danish seine nets, and dredges within 3 defined areas. One of these areas borders the Hautai Marine Reserve and the other 2 areas border the Punakaiki Marine Reserve.

The prohibition imposed on the use of Danish seine nets applies only in waters that are not within 3 nautical miles seaward of the mean high-water mark of the coast of the South Island. This is because commercial fishers are already prohibited from using Danish seine nets within that area by regulation 70 of the Fisheries (Commercial Fishing) Regulations 2001.

A person who breaches a prohibition imposed by these regulations is liable on conviction to a fine not exceeding \$100,000.

## Regulatory impact statement

The Ministry for Primary Industries produced a regulatory impact statement on 4 December 2014 to help inform the decisions taken by the Government relating to the contents of this instrument.

A copy of this regulatory impact statement can be found at—

- <http://www.mpi.govt.nz/law-and-policy/legal-overviews/regulatory-impact-statements/>
- <http://www.treasury.govt.nz/publications/informationreleases/ris>

Issued under the authority of the Legislation Act 2012.

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These regulations are administered by the Ministry for Primary Industries.